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EXHIBIT

tabbies

C

September 13, 2001

Certified Mail

Thomas F. Doyle
13819 Royal Melbourne Sq.
San Diego, California 92128-3643

Re: U.S. Application No.: 09/866,865
U.S. Filing Date: May 29, 2001
Title: Automated Exchange for Determining Availability of
Assets Shareable among Entities
Inventor: Thomas F. Doyle
Our Docket No.: 2293.2008-000

Dear Tom:

Enclosed please find another Declaration/Power of Attorney form for review and signature. As requested, also enclosed is a copy of the above-referenced patent application as filed. The application has been revised to include your comments and suggestions after your initial review of the draft application.

Please note that the Declaration requires that the inventor carefully read the patent application. If the application is acceptable, including the inventorship, please sign and date the Declaration in BLUE ink. The inventor should also verify that his typed name, address and citizenship is correct. If there is an error on the form, it may be corrected in blue ink. Any such changes should be initialed and dated in the margin by the inventor. Optionally, you may return the document to me with the necessary changes indicated, and I will prepare a corrected document for signature. If you have any concerns or questions regarding the application or inventorship, please call me immediately.

Also enclosed is an Assignment form in which the inventor assigns rights to the invention described therein to **Terion, Inc.**. Each inventor should sign and date the Assignment in BLUE ink in the presence of two witnesses. The witnesses should each sign the Assignment in the space provided below the signature which they witnessed, and print their home addresses in the space provided.

Thomas F. Doyle
September 13, 2001
Page 2

Please return **all** pages of these documents to us as soon as possible for filing in the U.S. Patent and Trademark Office. If you have any questions please contact David Thibodeau or me. Thank you for your help.

Very truly yours,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By


Jong P. Hong

JPH/emw/(dc)
Enclosures

cc: David J. Thibodeau, Jr., Esq.

::ODMA\MHODMA\iManage;255578;1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application

As a named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

Automated Exchange for Determining Availability of Assets Shareable among Entities

the specification of which (check one)

☐ is attached hereto.

☒ was filed on May 29, 2001 as United States Application

Number or PCT International Application No. 09/866,865

and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>			Priority Not Claimed	Certified Copy Filed?	
				YES	NO
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

(Application Number)

(Filing Date)

(Application Number)

(Filing Date)

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information known by me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing date)	(Status: patented, pending, abandoned)
(Application Serial No.)	(Filing date)	(Status: patented, pending, abandoned)
(Application Serial No.)	(Filing date)	(Status: patented, pending, abandoned)
(Application Serial No.)	(Filing date)	(Status: patented, pending, abandoned)

As a named inventor, I hereby appoint the attorneys and/or agents associated with
Hamilton, Brook, Smith & Reynolds, P.C., Two Militia Drive, Lexington, Massachusetts 02421-4799
Customer No. 21005,

and _____
to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please send correspondence to:

☒ Customer No. 21005
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
Two Militia Drive
Lexington, MA 02421-4799

or

☐ Address as follows:

Direct telephone calls to: David J. Thibodeau, Jr. Telephone No.: 781-861-6240

Direct facsimiles to: David J. Thibodeau, Jr. Facsimile No.: 781-861-9540

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole

or first inventor Thomas F. Doyle

Inventor's Signature _____ Date _____

Residence 13819 Royal Melbourne Sq.

San Diego, CA 92128-3643

Citizenship USA

Mailing Address Same

Sole

ASSIGNMENT

WHEREAS, I, **Thomas F. Doyle**, have invented a certain improvement in **Automated Exchange for Determining Availability of Assets Shareable Among Entities**, described in an application for Letters Patent of the United States, the specification of which:

- ☐ is being executed on even date herewith and is about to be filed in the United States Patent Office;
- ☒ was filed on **May 29, 2001** as Application No. **09/866,865**;
- ☐ was patented under U.S. Patent No. ☐ on ☐.

WHEREAS, **Terion, Inc.** (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the **State of Delaware** and having a usual place of business at **420 N. Wickham Road, Melbourne, Florida 32935** desires to acquire an interest therein in accordance with agreements duly entered into with me;

NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, I have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, the entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said application, together with the entire right, title and interest in and to said application and such Letters Patent as may issue thereon; said invention, application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by me had this assignment and sale not been made; I hereby convey all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. I hereby acknowledge that this assignment, being of the entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein;

AND, I hereby further agree for myself and my executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its successors, assigns and legal representatives, but at its or their expense and charges, including the execution of applications for patents in foreign countries, and the execution of substitution, reissue, divisional or continuation applications and preliminary or other statements and the giving of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;

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Thomas F. Doyle

PS Form 3811, December 1994

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PS Form 3800, July 1999

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